

Perkins&Will

9.20.2019

Mr. Jariah Walker

Colorado Springs Urban Renewal Authority
30 S. Nevada Ave, Suite 600
Colorado Springs, Colorado 80903

Re: Monthly Certification by Independent Engineer or Architect for Construction Related Costs for the C4C Downtown Stadium - Fee Proposal

Dear Mr. Walker,

A. Scope of Services

Per Section 8.C of Resolution No. 3 by the Colorado Economic Development Commission Concerning the Allocation of State Sales Tax Increment Revenue For the Color Springs City of Champions Project dated December 16, 2013, Perkins and Will (PW) has been asked by the C4C Downtown Stadium Project to serve as the Independent Entity responsible for preparing a monthly certification for construction related costs. Additionally, PW will prepare a certificate stating that the proposed plans and on-going construction for the C4C Downtown Stadium Project are in accordance with Section 5.B and Exhibit B to Resolution No. 3.

B. Form of Agreement

City of Colorado Springs – Fixed Fee Contract

C. Assumptions

1. Schedule:

- a) The construction duration is approximately 15 months for the United States C4C Downtown Stadium Project with substantial completion in March 2021.
- b) Shell / Tenant space fit-up may occur for another two months concluding in July 2021.
- c) PW will provide 15 (plus two optional) monthly certifications from January 2020-May 2021.

2. The Project Manager appointed by the C4C Downtown Stadium Project is responsible for preparing and furnishing the Owner's monthly soft-cost budget and soft construction-related costs to be included with the certification as PW does not prepare, maintain or have access to the Project soft-cost budget.

3. During construction of the C4C Downtown Stadium Project, PW will review the monthly application for payment prepared by GE Johnson Construction, the Construction Manager / General Contractor (CMGC) of the C4C Downtown Stadium Project and will attach the monthly application for payment to the "Approval of Independent Engineer" required by the Colorado Springs Urban Renewal Authority and Bond Issuer.

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4. If requested, PW can participate in the Quarterly and Semi-Annual Meetings of the Colorado Economic Development Commission per Resolution No. 3 Section 6A and has provided a fee below.
5. If requested, PW can prepare certificates for construction related costs to be included in the Quarterly Reports per Resolution No. 3 Section 6A and has provided a fee below.

D. Exclusions

1. Preparation of certifications regarding construction costs other than the C4C Downtown Stadium Project
2. Preparation of the Owner's soft cost budget
3. Cost consulting, geotechnical, materials testing or inspection services

E. Scope of Work

1. Certificate of Construction Related Costs (Monthly)

- a) After the CMGC submits the monthly application for payment, PW's project architect will travel to the project site to walk the site with the CMGC and Project Manager of the C4C Downtown Stadium to review the detailed schedule of values, work completed, and materials stored, on-site or in place.
- b) Once the site visit is complete, an PW principal and project administrator will review the monthly application for payment with the project architect and CMGC to confirm amounts to be submitted
- c) The proposed fee for each monthly certificate is \$2,350.

2. Annual Certificate

- a) Each year, PW will prepare an annual certificate with an area exhibit stating that on-going construction is in accordance with Section 5B and Exhibit B to Resolution No. 3
- b) This effort involves the project architect preparing a plan and spreadsheet noting the areas for the C4C Downtown Stadium Project. This is a one-day effort and includes a principal from PW reviewing the exhibits.
- c) The proposed fee for this effort is \$2,000 per annual certificate.

3. Quarterly and Semi-Annual Meetings (Optional)

- a) If required, PW can participate in the Quarterly and Semi-Annual Meetings of the Commission of the Colorado Economic Development Commission per Resolution No. 3 Section
- b) We would ask to be reimbursed for our time at the meeting and travel to and from Colorado Springs.
- c) This is an optional fee and does not need to be incorporated into this agreement if PW does not need to attend the quarterly meetings
- d) The proposed fee for each meeting is \$1,700.

4. Quarterly and Semi-Annual Meetings Exhibits (Optional)

- a) If required, PW can prepare a summary exhibit of the monthly Certificate of Construction Related Costs for the Quarterly and Semi-Annual Meetings of the

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Commission of the Colorado Economic Development Commission per Resolution
No. 3 Section 6.A.

- b) We would ask to be reimbursed for our time preparing the exhibit.
- c) This is an optional fee and does not need to be incorporated into this agreement if PW does not need to prepare the exhibit
- d) The proposed fee for each meeting is \$800.

F. Proposed Fee

1. Base Fee

Monthly Certificate Construction Costs – Qty 15	\$35,250.00
Annual Certificates / Area Exhibits – Qty 2	\$4,000.00
Total	\$39,250.00

2. Optional Fee(s)

Additional Tenant Fit-up Monthly Certificate Construction Costs – Qty 2	\$4,700.00
Quarterly Meetings – Qty 5	\$8,500.00
Quarterly Meetings Exhibit Preparation – Qty 5	\$4,000.00
Total Optional Fee	\$17,200.00

- 3. Reimbursable Expenses for mileage, delivery services and printing will be billed at cost for the reimbursable plus 10% markup for administration. We recommend carrying an amount of \$4,000 to cover these expenses.

G. Insurance

PW carries a professional liability insurance policy with a limit of \$2 million aggregate and \$2 million per claim. A certificate of insurance will be provided prior to execution of the O/A Agreement.

We appreciate the opportunity to provide our professional services to you. Please let us know if you have any questions or comments.



Andrew Barnard
Principal, Perkins and Will